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Patent Application No. 09/465,506
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V. REMARKS

RESPONSE TO REJECTIONS

Claim Rejections - 35 USC § 101

Examiner's Position:

Claims 1-29 are rejected under 35 U.S.C. 101 because in the Examiner's opinion, the claimed invention is directed to non-statutory subject matter. (claims 1-17 are not within technological arts). Claims 1—17 have allegedly no connection to the technological arts. None of the steps indicate any connection to a computer or technology. Therefore, the claims are not within technological arts and hence directed towards non—statutory subject matter. To overcome this rejection the Examiner recommends that Applicant amend the claims to better clarify which of the steps are being performed within the technological arts, such as the process of the method performed based on application of a computer processor / communication network etc. All other claims could be similarly amended to include a computer and/or a communication network as appropriate within the scope of the disclosure.

Claims 18—29 are also rejected because the claimed invention is allegedly directed to non—statutory subject matter.

Claim 18 the disclosed invention is inoperative and therefore lacks utility as elements of an apparatus or a system are recited without showing any functionality of and interrelationship among the recited elements and therefore is rendered inoperative lacking any utility. As an example, the computer processor is not functionally coupled to the first through fifth means and the storage means in a manner which would render the

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functionality of the claimed system as defined in the preamble. Dependent claims 19-29 allegedly also inherit this deficiency.

Applicant's response:

Independent base claims 1, 6, and 18 have been amended in order to more clearly define the present invention which is directed to computer implemented method or system, and computer network for security-financing plan by a trading company involving certain computerized process steps for storing and evaluating data, as well as calculating and allocating products from the trading company's inventory as desired by asset deficient capital seeking companies which would in turn offer to pay a cash/trade-credit package, as determined by financing trading company. The amended claims are now believed in allowable condition. The claims 2-5, 7-17, and 19-29 are deemed to be similarly allowable as they dependent from the aforementioned amended claims.

Claim Rejections -35 USC 112

Claims 1—5 and 18—40 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites "receiving deficient assets". Is it meant to read "information pertaining to the deficient assets" or the actual deficient assets? In either case the claim does not address the question of any relationship between the deficient assets and the trade credits transmitted to the deficient asset CSC.

Dependent claims 3-5 inherit the deficiencies of the parent claim.

Claims 18—40 contain the following defects which render the claims indefinite.

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Exemplary analysis provided for claim 18.

As an example, claim 18, recites limitation (c) ". .inventory component desired by the company.". This limitation is unclear because the preamble refers to "a trading company" and "a capital seeking company" and the limitation fails to specify which company is referred to.

Furthermore, the pre—amble refers to the claimed system as a data processing system for supporting "security-trade" financing by a trading company for ..a capital seeking company having deficient assets. However, the elements of the claimed data processing system (1) does not identify which elements have any relationship to these companies and (2) does not identify any element related to the 'security—trade financing".

The aforementioned mentioned deficiency is generic to claims 18-40.

Applicant's Response:

Applicant disagrees but has amended the claims to expedite the prosecution of the application. In the first instance, claim 1 has been amended to define the steps a-d needed to facilitate the financing arrangement between a TC and an asset deficient CSC involving a finance package determination from the TC comprising cash and/or trade products in exchange for a predetermined or calculated blend of cash/trade- credits from the CSC including its deficient assets. Claim 2 has been amended to define that the TC can take the deficient assets in trade for cash and other financing means. Claim 18 step c has been amended to define that the TC's inventory component is desired by the asset-deficient CSC.

Applicant respectfully asserts that the amended claims are now in condition for allowance, which favorable action is solicited.

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CONCLUSION

Applicant hereby requests early acceptance of the application as amended.

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